

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

YASMINE AKL	:
	:
Plaintiff	: CIVIL ACTION
	:
vs.	:
	:
PENNSYLVANIA STATE POLICE	:
TROOP K- DELAWARE COUNTY,	: NO. 16-CV-1096
LT. ERIC J. TURK, STATION	:
COMMANDER, PENNSYLVANIA STATE	:
POLICE TROOP K, CPT. JAMES P.	:
RAYKOVITZ, COMMANDING OFFICER	:
PENNSYLVANIA STATE POLICE	:
TROOP K, TROOPER MATTHEW	:
GIBSON, PENNSYLVANIA STATE	:
POLICE, TROOP K, UNIDENTIFIED	:
TROOPER #1, PENNSYLVANIA STATE	:
POLICE TROOP K, and	:
UNIDENTIFIED TROOPER #2,	:
PENNSYLVANIA STATE POLICE,	:
TROOP K, DONIKA PLYKU, and	:
DOSHI PRIFTI	:
	:
Defendants	:

ORDER

AND NOW, this 22nd day of September, 2016, upon consideration of the Motion to Dismiss in Part by the Pennsylvania State Police Troop K - Delaware County, Lt. Eric J. Turk, Capt. James P. Raykovitz, Trooper Matthew Gibson, and Unidentified Troopers #1 and #2 (Doc. No. 8), Plaintiff's Response in Opposition thereto and Moving Defendants' Reply Brief, it is hereby ORDERED that the Motion is GRANTED as follows:

1. All of Plaintiff's claims against the Pennsylvania State Police Troop K - Delaware County and all official capacity claims

which Plaintiff seeks to assert against Defendants Turk, Raykovitz, Gibson and Unidentified Troopers #1 and #2 are DISMISSED WITH PREJUDICE.

2. All of Plaintiff's claims for violations of substantive and procedural due process under the Fourteenth Amendment asserted in Counts I, II, III and V are DISMISSED WITH PREJUDICE, and Count V is DISMISSED in its entirety with the proviso that Plaintiff's claim for violation of procedural due process as asserted in Count V, is DISMISSED WITHOUT PREJUDICE.

3. Counts VI and VII are DISMISSED WITH PREJUDICE.

4. All of Plaintiff's remaining claims against Defendants Turk and Raykovitz are DISMISSED in their entirety WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that should Plaintiff desire to file an Amended Complaint, such Amended Complaint shall be filed within thirty (30) days of the entry date of this Order. Thereafter, Moving Defendants shall have twenty-one (21) days to respond thereto.

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.